

Application No. 10/083,453  
Amendment "C" and Response to Office Action Dated February 28, 2006  
Reply to Office Action Mailed September 2, 2005

### **AMENDMENTS TO THE CLAIMS**

The listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

1. **(Withdrawn)** A fold-out treadmill comprising:

(a) a base;

(b) a deck having a rear portion, an opposing front portion, and an endless belt rotatably mounted thereon, said rear portion of said deck being movably mounted on said base;

(c) a handrail movably attached to said deck;

(d) said deck configured to be selectively rotated between an operational position in which said deck is positioned for use by a user position thereon, and a storage position in which said deck is positioned proximate to said handrail; and

(e) said handrail further being configured to rotate into a storage configuration when said deck is moved from said operational position to said storage position and to unfold when said deck is moved from said storage position to said operational position such that said handrail extends above said front portion of said deck when said deck is in said operational position;

wherein said deck and said base define a footprint on a support surface when said deck is in said operational position, and wherein said handrail and said deck remain entirely within said footprint as said deck is moved between said operational position and said storage position.

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2. **(Withdrawn)** A fold-out treadmill as recited in claim 1, further comprising incline means for varying the inclination of said deck relative to a support surface while said deck is in said operational position.

3. **(Withdrawn)** A fold-out treadmill as recited in claim 2, further comprising a mechanism configured to vary the inclination of said deck relative to a support surface while said deck is in said operational position, said mechanism being moveably attached to said deck.

4. **(Withdrawn)** A fold-out treadmill as recited in claim 3, wherein said mechanism comprises a motor movably attached to said base and a foot operably connected to said motor.

5. **(Withdrawn)** A fold-out treadmill as recited in claim 1, further comprising lift means for automatically moving deck between the operational position and the storage position.

6. **(Withdrawn)** fold-out treadmill as recited in claim 5, wherein said lift means comprises a mechanism configured to automatically move said deck between said operational position to said storage position, said mechanism being movably attached to said base.

7. **(Withdrawn)** A fold-out treadmill as recited in claim 6, wherein said mechanism comprises a motor movably attached to said base and an elongated member movably attached to said deck.

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8. **(Cancelled).**

9. **(Withdrawn)** A fold-out treadmill as recited in claim 1, further comprising a fold-out means for attaching said handrail to said deck so as to enable said handrail to project above said deck when said deck is in said operational position and to rotate into said storage configuration when said deck is rotated into said storage position.

10. **(Withdrawn)** A fold-out treadmill as recited in claim 9, wherein said fold-out means comprises a fold-out assembly configured to movably connect said handrail to said deck.

11. **(Withdrawn)** A fold-out treadmill as recited in claim 10, wherein said fold-out assembly is configured such that said handrail is repositioned by rotational movement as said deck is selectively repositioned from said storage position into said operational position.

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12. **(Withdrawn)** A fold-out treadmill comprising:

- (a) a base having a rear end and an opposing front end;
- (b) a deck having a rear portion, an opposing front portion, and an endless belt rotatably mounted thereon, said rear portion of said deck being movably mounted on said base;
- (c) a handrail movably attached to said deck;
- (d) said deck configured to be selectively rotated between an operational position in which said deck is positioned for use by a user position thereon, and a storage position in which said deck is positioned proximate to said handrail;
- (e) said handrail further being configured to fold into a storage configuration when said deck is moved from said operational position to said storage position and to unfold when said deck is moved from said storage position to said operational position such that said handrail extends above said front portion of said deck when said deck is in said operational position, and such that said handrail does not extend beyond said rear end of said base when said deck is in said storage position; and
- (f) lifting means for automatically moving said deck between the operational position and the storage position.

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13. **(Withdrawn)** A fold-out treadmill as recited in claim 12, wherein said lifting means comprises a mechanism configured to automatically move said deck between said operational position and said storage position, said mechanism being movably attached to said deck.

14. **(Withdrawn)** A fold-out treadmill as recited in claim 13, wherein said mechanism comprises:

(a) a motor movably attached to said base; and

(b) an elongated member having one end movably attached to said motor and an opposite end moveably connected to said deck.

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15. **(Withdrawn)** A fold-out treadmill comprising:

- (a) a base having a rear end and an opposing front end;
- (b) a deck having a rear portion an opposing front portion and an endless belt rotatably mounted thereon, said rear portion of said deck being movably mounted on said base;
- (c) a handrail movably attached to said deck;
- (d) said deck configured to be selectively rotated between an operational position in which said deck is positioned for use by a user position thereon, and a storage position in which said deck is positioned proximate to said handrail;
- (e) said handrail further being configured to fold into a storage configuration when said deck is moved from said operational position to said storage position and to unfold when said deck is moved from said storage position to said operational position such that said handrail extends above said front portion of said deck when said deck is in said operational position, and such that said handrail does not extend beyond said rear end of said base when said deck is in said storage position; and
- (f) a mechanism configured to automatically move said deck between the operational position and the storage position, said mechanism being moveably attached to said deck.

16. **(Withdrawn)** A fold-out treadmill as recited in claim 15, wherein said mechanism comprises a motor movably attached to said base and an elongated member movably attached to said front portion of said deck.

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17. **(Withdrawn)** A fold-out treadmill comprising:

(a) a base;

(b) a deck having a rear portion, an opposing front portion, and an endless belt rotatably mounted thereon, said rear portion of said deck being movably mounted on said base;

(c) a handrail attached to said deck;

(d) said deck configured to be selectively rotated between an operational position in which said deck is positioned for use by a user position thereon, and a storage position in which said deck is positioned proximate to said handrail; and

(e) inclination means for varying the inclination of said deck relative to a support surface, and for moving said deck between said operational position and said storage position.

18. **(Withdrawn)** A fold-out treadmill as recited in claim 17, wherein said incline means comprises a mechanism configured to vary the inclination of said deck relative to a support surface while said deck is in said operational position, said mechanism being movably attached to said deck.

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19. **(Withdrawn)** A fold-out treadmill as recited in claim 18, wherein said mechanism comprises:

- (a) a motor movably attached to said base;
- (b) a foot rotatably attached to said dock; and
- (c) an elongated member having a first end attached to said motor and a second end movably connected to said foot.



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20. **(Currently Amended)** A fold-out treadmill comprising:

(a) a base;

(b) a deck having a rear portion, an opposing front portion, and an endless belt rotatably mounted thereon, said ~~rear portion of said deck~~ being movably mounted on said base;

(c) a handrail movably attached to said deck;

(d) said deck configured to be selectively rotated between an operational position in which said deck is positioned for use by a user positioned thereon, and a storage position in which said deck is positioned proximate to said handrail; and

(e) a mechanism configured to vary the inclination of said deck relative to a support surface, and to move said deck between said operational position and said storage position, wherein said mechanism comprises:

(ai) a motor movably attached to said base;

(bii) a foot rotatably mounted below said deck; and

(ciii) an elongated member having a first end attached to said motor and a second end movably connected to said foot.

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21. (Currently Amended) A fold-out treadmill comprising:

(a) a base;

(b) a deck having a rear portion, an opposing front portion, and an endless belt rotatably mounted thereon, said rear portion of said deck being movably mounted on said base;

(c) a handrail movably attached to said deck;

(d) said deck configured to be selectively rotated between an operational position in which said deck is positioned for use by a user positioned thereon, and a storage position in which said deck is positioned proximate to said handrail; and

(e) a mechanism configured to vary the inclination of said deck relative to a support surface, and to move said deck between said operational position and said storage position as recited in claim 20, wherein said mechanism comprises:

(ai) a motor movably attached to said base;

(bii) a foot rotatably mounted below said deck; and

(eiii) an elongated member having a first end attached to said motor and a second end movably connected to said foot.

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22. **(Currently Amended)** A fold-out treadmill comprising:

(a) a base;

(b) a deck having a rear portion, an opposing front portion, and an endless belt rotatably mounted thereon, said ~~rear portion of said~~ deck being movably mounted on said base; said deck configured to be selectively rotated between an operational position in which said deck is positioned for use by a user positioned thereon, and a storage position; and

(c) a mechanism configured to vary the inclination of said deck from a first operational position to a second operational position in relation to a support surface, and to move said deck between said second operational position and said storage position, wherein said mechanism comprises:

(ai) a motor movably attached to said base;

(bii) a foot rotatably attached to said deck; and

(eiii) an elongated member having a first end operably connected to said motor and a second end movably connected to said foot.

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23. **(Currently Amended)** A fold-out treadmill comprising:

(a) a base;

(b) a deck having a rear portion, an opposing front portion, and an endless belt rotatably mounted thereon, said rear portion of said deck being movably mounted on said base; said deck configured to be selectively rotated between an operational position in which said deck is positioned for use by a user position thereon, and a storage position; and

(c) a mechanism configured to vary the inclination of said deck from a first operational position to a second operational position in relation to a support surface, and to move said deck between said second operational position and said storage position-as recited in claim 22, wherein said mechanism comprises:

(ai) a motor movably attached to said base;

(bii) a foot rotatably attached to said deck; and

(ciii) an elongated member having a first end operably connected to said motor and a second end movably connected to said foot.

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24. (Currently Amended) A fold-out treadmill comprising:

(a) a support structure comprising:

(i) a base having a rear end and an opposing front end;

(ii) a deck having a front portion, an endless belt rotatably mounted thereon, and a rear portion, said deck being rotatably attached to said base such that said deck is and configured to selectively rotate between an operational position and a storage position; and

(~~eb~~) a motor operably coupled to an extension and to said deck, wherein said motor ~~is configured such that moving~~ moves said extension with respect to said motor to change[s] the incline of said deck; and to move such that continued moving of said extension with respect to said motor causes said deck to move from said operational position to said storage position; and

(~~c~~) a fold-out assembly including a handrail having a first end and a second end, wherein said handrail rotates as said deck is selectively rotated from said storage position into said operational position.-

25. (Cancelled).

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26. **(Currently Amended)** A fold-out treadmill ~~as recited in claim 24~~, further comprising:

(a) a support structure comprising:

(i) a base having a rear end and an opposing front end;

(ii) a deck having a front portion, an endless belt rotatably mounted thereon, and a rear portion rotatably attached to said base, said deck configured to selectively rotate between an operational position and a storage position;

(b) a motor operably coupled to an extension and to said deck, wherein said motor moves said extension with respect to said motor to change the incline of said deck and to move said deck from said operational position to said storage position; and

(c) a fold-out assembly including a handrail having a first end and a second end, wherein said handrail rotates as said deck is selectively rotated from said storage position into said operational position.

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27. **(Currently Amended)** A fold-out treadmill comprising:

(a) a support structure comprising:

(i) a base having a rear end and an opposing front end;

(ii) a deck having a front portion, an endless belt rotatably mounted thereon, and a rear portion rotatably attached to said base, said deck configured to selectively rotate between an operational position and a storage position;

(b) a motor operably coupled to an extension and to said deck, wherein said motor moves said extension with respect to said motor to change the incline of said deck and to move said deck from said operational position to said storage position; and

(c) a fold-out assembly including: (i) a handrail having a first end and a second end, wherein said handrail rotates as said deck is selectively rotated from said storage position into said operational position; as recited in claim 26, wherein said fold-out assembly means comprises: (aii) a leg having a proximal end attached to said second end of said handrail and a distal end rotatably attached to said base; and (biii) an elongated support movably attached to said deck, said leg and said elongated support being configured to allow said handrail to automatically rotate into a compact storage configuration when said deck is rotated from said operational position into said storage position.

28. **(Original)** A fold-out treadmill as recited in claim 24, wherein said base is capable of stably supporting the treadmill when said deck is in either said operational position or said storage position and when said deck is being repositioned therebetween.

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29. (Currently Amended) A fold-out treadmill comprising:

(a) a support structure comprising:

(i) a base having a rear end and an opposing front end;

(ii) a deck having a front portion, an endless belt rotatably mounted thereon, and a rear portion rotatably attached to said base, said deck configured to selectively rotate between an operational position and a storage position; and

(b) a motor operably coupled to an extension and to said deck, wherein said motor moves said extension with respect to said motor to change the incline of said deck and to move said deck from said operational position to said storage position as recited in claim 24, wherein said extension is rotatably coupled to one or more feet.



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30. **(Currently Amended)** A fold-out treadmill comprising:

(a) a support structure comprising:

(i) a base having a rear end and an opposing front end;

(ii) a deck having a front portion, an endless belt rotatably mounted thereon, and a rear portion rotatably attached to said base, said deck configured to selectively rotate between an operational position and a storage position; and

(b) a motor operably coupled to an extension and to said deck, wherein said motor moves said extension with respect to said motor to change the incline of said deck and to move said deck from said operational position to said storage position, wherein said extension is rotatably coupled to one or more feet as recited in claim 29, wherein said motor declines said deck by moving said extension toward said rear portion of said deck.

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31. **(Currently Amended)** A fold-out treadmill comprising:

(a) a support structure comprising:

(i) a base having a rear end and an opposing front end;

(ii) a deck having a front portion, an endless belt rotatably mounted thereon, and a rear portion rotatably attached to said base, said deck configured to selectively rotate between an operational position and a storage position;

(b) a motor operably coupled to an extension and to said deck, wherein said motor moves said extension with respect to said motor to change the incline of said deck and to move said deck from said operational position to said storage position as recited in claim 24, further comprising: (d); and

(c) a fold-out assembly movably connecting a second end of a handrail to said support structure, wherein so as to enable a first end of said handrail to project above said front end of said deck when said deck is in said operational position and said fold-out assembly to automatically collapse into a compact storage configuration when said deck is rotated into said storage position.

32. **(Withdrawn)** A fold-out treadmill as recited in claim 17, wherein said handrail is configured to fold into a storage configuration when said deck is moved from said operational position to said storage position, and to unfold when said deck is moved from said storage position to said operational position, such that said handrail extends above said front portion of said deck when said deck is in said operational position.

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33. (Currently Amended) A fold-out treadmill comprising:

(a) a base;

(b) a deck having a rear portion, an opposing front portion, and an endless belt rotatably mounted thereon, said rear portion of said deck being movably mounted on said base;

(c) a handrail movably attached to said deck;

(d) said deck configured to be selectively rotated between an operational position in which said deck is positioned for use by a user positioned thereon, and a storage position in which said deck is positioned proximate to said handrail-as recited in claim 20, wherein said handrail is configured to fold into a storage configuration when said deck is moved from said operational position to said storage position, and to unfold when said deck is moved from said storage position to said operational position, such that said handrail extends above said front portion of said deck when said deck is in said operational position; and

(e) a mechanism configured to vary the inclination of said deck relative to a support surface, and to move said deck between said operational position and said storage position.

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34. **(Previously Presented)** A fold-out treadmill as recited in claim 20, wherein said handrail does not extend beyond said rear end of said base.

35. **(Previously Presented)** A fold-out treadmill as recited in claim 20, wherein said mechanism is movably attached to said deck.

36. **(Previously Presented)** A fold-out treadmill as recited in claim 22, wherein said mechanism comprises a motor operably coupled to an extension, wherein said motor and said extension are cooperatively configured to incline said deck, decline said deck, move said deck to an operational position, and to move said deck to a storage position.

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37. **(Currently Amended)** A fold-out treadmill ~~as recited in claim 22~~, further comprising:

(a) a base;

(b) a deck having a rear portion, an opposing front portion, and an endless belt rotatably mounted thereon, said rear portion of said deck being movably mounted on said base; said deck configured to be selectively rotated between an operational position in which said deck is positioned for use by a user positioned thereon, and a storage position;

(c) a mechanism configured to vary the inclination of said deck from a first operational position to a second operational position in relation to a support surface, and to move said deck between said second operational position and said storage position;  
and

(d) a handrail that-is-configured to fold into a storage configuration when said deck is moved from said operational position to said storage position and to unfold when said deck is moved from said storage position to said operational position, such that said handrail extends above said front end of said deck when said deck is in said operational position.

38. **(Previously Presented)** A fold-out treadmill as recited in claim 22, wherein said mechanism is configured to vary the inclination of said deck relative to a support surface by exerting a force toward said front portion of said deck, and to move said deck between said operational position and said storage position by exerting a continued force toward said front portion of said deck.

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39. **(Currently Amended)** A fold-out treadmill comprising:

a base;

a deck having a front portion, a rear portion rotatably attached to said base, and a rotating belt;

a handrail ~~movably~~ rotatably coupled to said base and to said deck; and

a motor configured to automatically incline or decline said deck in an operational position and to automatically move said deck from said operational position to a storage position by moving an extension relative to said motor.

40. **(New)** A fold-out treadmill comprising:

(a) a support structure comprising:

(i) a base having a rear end and an opposing front end;

(ii) a deck having a front portion, an endless belt rotatably mounted thereon, and a rear portion, said deck being rotatably attached to said base and configured to selectively rotate between an operational position and a storage position;

(b) a motor operably coupled to an extension and to said deck, wherein said motor moves said extension with respect to said motor to change the incline of said deck and to move said deck from said operational position to said storage position, wherein said extension is rotatably coupled to one or more feet.